

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

VINCENT RUSSELL,

Plaintiff,

v.

AVERY LYONS, et al.,

Defendants.

CASE NO. 2:22-CV-1863-RAJ-DWC

ORDER DENYING MOTION FOR  
RECONSIDERATION

Currently before the Court is Plaintiff Vincent Russell's Motion for Reconsideration ("Motion"). Dkt. 10. Plaintiff seeks reconsideration of the Court's Order denying his request for Court-appointed counsel. *Id.* On January 30, 2023, the Court denied Plaintiff's Application for Court-Appointed Counsel (Dkt. 8) because Plaintiff did not show (1) this case involves complex facts or law; (2) an inability to articulate the factual basis of his claims in a fashion understandable to the Court; or (3) he is likely to succeed on the merits of his case. Dkt. 8. In the Motion, Plaintiff reiterates he needs Court-appointed counsel because he is proceeding *pro se* and is unable to adequately litigate this case. Dkt. 10.

1 Pursuant to Local Civil Rule 7(h), motions for reconsideration are disfavored and will be  
2 denied absent a showing of manifest error or a showing of new facts or legal authority which  
3 could not have been presented earlier with reasonable diligence. Plaintiff has not met the  
4 standard outlined in Local Civil Rule 7(h). Plaintiff fails to show a manifest error in the Court's  
5 prior ruling. Plaintiff also fails to provide new facts or legal authority which could not have been  
6 presented earlier or show this case presents an "exceptional circumstance" requiring the  
7 appointment of counsel. *See Rand v. Roland*, 113 F.3d 1520, 1525 (9th Cir. 1997), *overruled on*  
8 *other grounds*, 154 F.3d 952 (9th Cir. 1998); *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th  
9 Cir. 1986).

10 As the Motion does not meet the standard outlined in Local Civil Rule 7(h) or show  
11 appointment of counsel is appropriate at this time, Plaintiff's Motion (Dkt. 10) is denied.

12 Dated this 23rd day of March, 2023.

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15 David W. Christel  
16 Chief United States Magistrate Judge  
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